

**BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
DOCKET NO. 2022-151 W/S**

Joint Application for Approval of)	
the Sale of Assets and Transfer of)	
Facilities, Territory and Certificate)	
of Public Convenience and)	MOTION FOR CONFIDENTIAL
Necessity from Total Environmental)	TREATMENT
Solutions, Inc. to CSWR South)	
Carolina Utility Operating)	
Company, LLC)	

Central States Water Resources, Inc., (“Central States”), CSWR-South Carolina Utility Operating Company, LLC, (“CSWRSC”), and Total Environmental Solutions, Inc. (“TESI”) (collectively the “Joint Applicants”), pursuant to S.C. Code Ann. § 30-4-40(a)(1), S.C. Code Ann. Section 39-8-10, *et seq.*, 10 S.C. Code Regs. 103-804(S)(2), and Commission Order 2005-226 (as amended), hereby file this Motion for Confidential Treatment (“Motion”) in the above-captioned proceeding. Joint Applicants request confidential treatment by the Public Service Commission of South Carolina (“Commission”) of certain commercially sensitive financial information filed under seal in support of their Application for approval of the sale of assets, including water and sewer facilities, territories, and certificates of public convenience and necessity, from TESI to CSWRSC. This Motion is being filed concurrently with the Application

1. **Description of Confidential Information.** The Agreement for Sale of Utility System, a redacted version of which is attached as Exhibit D to the Application and the unredacted version of which is filed under seal, contains highly confidential information, specifically **the purchase price**, the public disclosure of which would cause direct, immediate and substantial harm to CSWRSC’s competitive position in South Carolina and in other states where CSWRSCs affiliates are doing business.

2. **Grounds for Claims of Confidentiality.** The information designated as confidential fits squarely within the definition of a “trade secret” under the South Carolina Trade Secrets Act.¹ Moreover, the confidential information qualifies as “trade secret” exempt from disclosure pursuant to S.C. Code Ann. § 30-4-40(a)(1) of the South Carolina Freedom of Information Act. Neither Central States nor CSWRSC are public corporations and their financial and business information is uniquely sensitive. Central States and CSWRSC undertake considerable efforts to maintain the secrecy of their financial and business information. Financial information of this type is not publicly disseminated, and Central States and CSWRSC take reasonable steps to guard this information internally as well.

Importantly, the Joint Applicants have narrowly tailored their request for confidential treatment and have provided a minimally redacted agreement for public inspection along with their Application. Joint Applicants have disclosed all terms of the transaction which could reasonably be expected to impact customer service. Conversely, the information Joint Applicants have moved to keep confidential would not affect customer service.

3. **Conclusion.** The financial information included in the Application, for which confidential treatment is requested, is both proprietary and competitively sensitive. Central States and CSWRSC would suffer substantial direct harm if such information is made publicly available.

¹ A “trade secret” is defined in S.C. Code 39-8-20(5)(a) as information that “(i) derives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by the public...and (ii) is the subject of efforts that are reasonable under the circumstances to maintain its secrecy.”

WHEREFORE, the Joint Applicants respectfully request the redacted information in Exhibit D of the Application be ruled exempt from public disclosure in accordance with S.C. Code Ann. § 30-4-40(a)(1), S.C. Code Ann. § 39-8-10, *et seq.* and other applicable law, and grant such other relief as is just and proper.

Respectfully submitted,

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CERTIFICATE OF SERVICE

This is to certify that I have served one (1) copy of the Motion for Confidential Treatment addressed as follows:

VIA ELECTRONIC MAIL SERVICE

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s/ John J. Pringle, Jr.
John J. Pringle, Jr.

April 22, 2022